

AN
UNHAPPY
GAME
AT
SCOTCH AND ENGLISH.
OR,

A Full Answer from England to the

John Papers of Scotland. Lilburn

Wherein their Scotch Mists and their Fogs, their sayings and gain-sayings; their Juglings, their windings and turnings; hither and thither backwards and forwards, and forwards and backwards again; Their breach of Covenant, Articles and Treaty, their King-craft present design against the two Houses of Parliament, and People of England, their plots and intents for Uurpation and Government over us and our children detected, discovered, and presented to the view of the World, as a dreadfull Omen, and Warning to the Kingdome of England.

Ir. 5.4. And although they say, the Lord liveth, surely they sweare falsely.

Hof. 10.3. They have spoken words, swearing falsely in making a Covenant. thus judgment springeth up as Hemlock in the furrows of the field.

EDINBURGH,

Printed (as truly by *Evan Tyler*, Printer to the Kings most excellent Majestie, as were the the Scotch Papers, lately published in *London*) and are to be sold at the most Solemne signe of the Blew-Bonnet, right opposite to the two Houses of Parliament. 1646.

A Full Answer for England
 Prison of England.

An
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SCOTCH AND ENGLISH

Scotch Papers. Pag. 2.

He Parliament of England, hath no more power
 to dispose of the Person of the King of Scotland
 being in England, then the Parliament of Scotland.
 Scotland hath to dispose of the Person of the
 King of England, if he were in Scotland.

Ans. Brethren, you say very well: But the question is whether such a disposing may be either by the one or by the other? Whether the Armies of Scotland being in England, may dispose of the King of England being in England or no, and so on the contrary? But indeed it needs not much to be disputed, for in words you deny your selves of that power, when you tell us, (pag, *ibid.*) that the Armies of Scotland have nothing to doe in the dispose of the King of England: yet for al this, in deeds you do assume as much as that comes to, to your selves; for though you plead your Scottish interest in the King of Scotland to countenance the fact, yet behind the shadow of that Curtaine (thus drawn before our eyes) you keep the King of England from England, & so consequently King it over England behind, which we are confident

dent would by your selves be condemned in us, in case you should be so dealt withall by the armies of England, for we cannot judge that the armies of Scotland would count it lawfull for the armies of England, if they were in Scotland, for their assistance, to deny them the delivery of the King of Scotland: Because being in England they refuse to deliver him to England, according to the votes and desires of the two Houses of England. Therefore we judge, that Scotland would much more claime that priviledge in him being in Scotland; for if they will claime it out of their bounds where they have no right of authority, they will much more claime it, within the bounds of their dominions, where their power is intire to themselves.

Therefore it is not well done of our deare brethren of Scotland thus to cast a Scotch mist before the eyes of their Brethren of England: For though (as before) verbally they disclaime all power in their armies, for his disposall without the joynt consent of the two Kingdomes, yet (as deare Brethren) their armies have received, entertained and kept him even in his person, and that before the joynt consent of the two Kingdomes, and absolutely against the will and desires of ours. So that the King of England, and the King of Scotland is disposed of by the armies of Scotland, without the consent or advice of either Kingdom. We hope our dear brethren will not say, their armies received advice and direction for his entertainment from the kingdom of Scotland, for that were a capitulation with him, without the privity and conjuncture of England, which by them pag. 6. is disavowed.

But in case our brethren might receive him without the mutuall consent of both Kingdomes, then why doe they stand for a mutuall consent for his delivery, for by the Lord Londons own argument (pag. 25.) *contrariorum contraria sunt consequentia*, contraries have contrary consequents.

Therefore if they may not part with him, without the consent and advice of the two Kingdomes, then, ought they not to have received him without that consent. If our deare brethren should urge, that parting with him were a disposing of him, and that they may not do without breach of Covenant
and

and Treaty : the like we retort by their owne rule of contraries, concerning their receiving of him : for receiving is by the said rule as much a disposing as parting with him, so that if our deare brethren be men that are true to their owne rules and principles, we may conclude, that if they will not part with him without the consent of the Kingdome of *Scotland*, that then they had the consent of the Kingdome of *Scotland* to receive him, before they did receive him, but our deare brethren doe affirme the one, pag. 8. therefore from the truth and fidelity of our brethren, we may well conclude the other.

Oh! what shall we say or thinke now of our brethren? are they not of divine Covenanters, become cheating Juglers. For let any man judge, whether the keeping the Kings person at *New-Castle* without our consent, be not as absolute a disposall, as afterwards the sending of his person to *White Hall*, *Richmond-House*, *Hampton-Court*, or else where, by the joynt advice and consent of the two Kingdomes. They would differ in manner indeed, but not in the nature of the thing, and the nature of the thing, is the matter in hand : The difference would be but in an Accident, namely the addition of our consent; is now without it, it could then be but with it, and both's a disposall: Yea, though it should be without this consent either of yours or ours: For an accident may be wanting and the subject remaine.

But to colour this disposall from the censure of their act, our brethren doe tell us, that

He came voluntarily, and continues voluntarily.

Ans. It seemes, from hence you would inferre, that the Act of that disposing of his person is by himselfe, and not by you. But for answer thereto, consider your own grounds: By the Covenant and Treaty you urge, that his person is solely & intirely to be disposed of by the Parliament of both Kingdomes, and not singly, or by a third, but by the joynt advice and consent of both. Therefore from this grant of yours, your Armie neither had nor hath any power individually to
make

make or meddle with his person, or in the best wise to dispose of it, no not for a minute; in this place or that place, for this or for that, or till things should be so or so, therefore your Act of entertainment of his coming, was (by the just sequell of your own ground) an actuall disposing of his person *pro tempore*, even as well, and as really, as if you should dispose of it for ever, for the difference would only be in the protract of time, not in the nature of the thing.

Further, the thing betwixt the two Kingdomes by the Covenant and Treaty, is not what he might doe, but what the two Kingdomes thereby are mutually bound to do, for the Covenant and Treaty was not made with him, but betwixt the two Kingdomes: So that his voluntary Act was nothing to your nationall duty and obligation, for his personall will was nowise included in the conclusion thereof, then was neither his personall assent nor dissent required to the making either of the one or the other.

So that his voluntary coming or staying, is neither here nor there to your act: for this receiving and retaining (though voluntary by him) is as well an actuall disposing of yours (though not in aggravation) as if you had set him, and continued him by force, or *constraint* as you call it: and therefore the act of your receiving and keeping his person without our consent, is that against which we except: It is not about the manner how, whether by his will, or by your force that our difference is stated, but about the definitive matter of disposition it selfe: although with your manner how and the like, you would delude us, and divert us from the state of the question, reasoning from the manner, and so concluding against us in the matter, when indeed you should reason from the matter, and then it would be otherwise. Therefore your receiving and continuing, is an absolute possession and disposing thereof, and so it is your Act.

Besides he could neither enter nor continue without your consent. For can a well fortified City be entered by a single man, without force, or there be continued, except the Citizens please, & is not your Army equivalent thereto? Therefore it is the act of your pleasure, though his be added there-
to the

the addition whereof nothing diminishing therefrom: for by how much the more his pleasure and your pleasure agrees without ours, by so much the more is it dangerous and suspicious; but the concord & conjunction thereof is to such an high measure aspired, that you are not ashamed to tell us, that you will not have him delivered or disposed of contrary to his Will, which must needs be his personall Will; for were it his legall Will he then would be assenting to the Orders and determinations of His great Councell, the two Houses of Parliament: His legall Will, we are sure it cannot be except, from the Parliamēt he carried with Him the Sovereaigne power of the Land, and it hath journeyed with Him ever since; and now with him He hath brought it to our dear Brethren of Scotland: If it be so, then truly our Brethren have (all this while of their continuance with us against them) been *Traytors & Rebels* thereto as well as our selves; yet sure our dear Brethren (if it be but for their credits) will not say so; and if they doe not, then what are our Brethren now? It must needs be granted and concluded at first or at last: So that how to award our dear Brethren from *Treason* and *Rebellion* against the Sovereaigne power of this Land we doe not see; therefore our dear Brethren might doe well with their next papers to send us a paire of *scotch-sp. spectacles* that are fit for our eyes, and their charactar, for by our *English* reading (printed by *Evan Tyler* at London) we can read them no other as yet: Therefore in the mean time in our answer to the *Will* of the King we must consider that *Will*, as the *Will* of *Charles Stenart*, contrary to whose *Will* you will not have him disposed; so that indeed and in truth, you place the whole power of the disposall of *Charles Stenart*, in the *Will* of *Charles Stenart*, and make that his personall *Will*, the essence of that disposall; for the *Will* of *Charles Stenart* (if he must not be delivered without it) may contradict, null, and make voide whatever gainsaies: So that the advice and consent of the two Houses &c. (which you so oft talke of in your papers) is but a shadow without a substance cast before our eyes: a Nut without a kernell, that you have given us to crack; a
 Bone

Bone without m arrow, that you have thrown in amongst us: So that wee can judge little better of our Brethren in this, therof such as carry water in one hand, and fire in another.

Scots Papers. Pag. 4.

Our Armies are not tyed to be subject to the resolutions and directions of either Kingdome, but of both joyntly.

Answer.

If your Armies be so tyed and obliged then how came they loose and obsoled thereof in this your reception, and continuance of his person without their resolutions? For as yet there hath been no joynt resolve of both Kingdomes about it: and thus to put tricks upon us, you play fast and loose at your pleasure.

When you plead for your selves, you say, it is a fundamentall right and liberty &c. that none can without consent impede or restrain your King from coming amongst you to performe the duties of a King. and with this you would cover over the act of your admission and reception of his person.

And when you reason against the two Houses, in opposition to their Votes you tell us it is one thing what the Parliament of *England* might have done in another cause, and warre before their engagements by Covenant, it is another thing what ought to be done after such conditions and tyes imposed &c. whereby you would deprive the two Houses of that which before you urge for your selves; namely, fundamentall Rights &c. and utterly debar them in this difference from all retrogrations be yond the Covenant; yet your selves will run in *infinitum* beyond it? you can urge your fundamentall Rights and liberties for you your selves, in your reception of the King of *Scotland*, but will not permit them upon any termes (because of the Covenant) from their fundamentall rights & liberties of the Kingdome

Kingdome of *England*, to Vote the disposing of the King of *England* in *England*.

Therefore by your favour (dear Brethren of *Scotland*) since thus you play at bee-peepe with your Brethren of *England*, we will answer your first reason with your second: It is one thing what you might have done before the Covenant, and another thing what you may doe after; but by the Covenant (even as your selves say) His person must be absolutely, & wholly disposed of by the joynt advice & consent of both Parliaments, so that by your Covenant you are bound not to medle at all singly in his disposall; either of so much as receiving or entertaining him.

But let us a little expostulate with our deare brethen of *Scotland*: is this your dealing with us as becomes brethen? Is this your brotherly conference, to condemne that in us which you will allow in your selves, first to plead your fundamentall rights and freedoms &c. And then in the next page to tell us, wee doe not medle with any of our single rights, priviledges or Lawes of our Nation, &c. and a little after, unlesse wee lay aside the Covenant, Theatres, Declarations of both Kingdomes; and three yeares conjunction in this warre, neither the one Kingdome nor the other, must now look back what they might have done singly before such a strict union.

What shall wee thinke, or what shall wee esteem of our deare brethren for this? Wee know not how to excuse them of lying; but however this will wee boldly affirme to our Brethren of *Scotland*, that this latter argument utterly cuts off our Brethren from the refuge of what ever our Brethren might have pleaded before the Covenant, and strictly restraines all their arguments, concerning the interest of the Kingdome of *Scotland* in the King of *Scotland*, and about their fundamentall rights and liberties &c. for they all were before the Covenant, and so in this matter are quite out of date, and comes not into the compasse or nature of the dispute, even by your own bounds and limits by your selves thereto affixed: which considerations, may serve as an answer to one great part of the papers: & therefore we may well wonder at this your manner of reasoning, & cannot otherwise reasonably judge, but it is to cast a Scottish mist before the eyes of the free men of *England*, on purpose to delude them.

Scotish Pap. page 4.

Scotland. *The ends of the Covenant are not to be prosecuted by the two Kingdomes, as they are two distinct bodies acting singly: but they were united by solemn Covenant made to Almighty God, & by league each to other, as one intire body, to prosecute the cause.*

Answer. As by this argument, you were not to meddle at all in the least kind about the disposing of his Person, not so much as to give him entertainment (that being an actuall disposing *pro tempore* as aforesaid) without the mutuall consent and Order of both Kingdomes proceeding: So by this argument also a second is absolutely excluded from this (Covenanted) disposall: for hereby there is an union of two Kingdomes in one for one end; and an vnite admits not of a second or third, for then it is no more one, but two or three: So that it is as cleere as the Sun, that this unity of consent betwixt the two Kingdomes admits of no addition or division whatsoever; for so the property of that Bi unity were lost: If another were added to that vnity, then were it a Tri-unity, and not a Bi-unity: and if that unity should be devided, then were it no unity, for *pura unitas est indivisibilis*: Why therefore you should bring in the Kings consent betwixt the two Kingdomes, wee see not; except you meane to play fast and loose, and set open a doore to all forraigne Nations, to have a title to this consent: for as well may you say, that *France, Spaine, &c.* must have their consent in this businessse as well as *Charles Stenart* himselfe; for the Question is not, what *Mr. Stenart* would doe with his person, or what *France* or *Spaine &c.* would doe with it, but what the two Kingdomes by this Covenant are bound to doe; therefore the bringing in the Kings consent and will into the bargaine, is a meere nullity (as concerning this matter) to the Covenant; So that your repairing to his *Will* and consent, is an absolute departure from the joynt interest of the two Kingdomes, and from the Covenant obliging there to: for you will not deliver him, or doe any thing with him without his consent: Therefore why doe you at all talke of the Covenant, or the interest of the two Kingdomes? Tell us no more of such blew shadowes and Sculcapes; but tell us of the *Will* of *Charles Stenart*: And if we must needs dispute, let that be the question, whether the will of *Charles Stenart* be the Law of all Lawes, whereto Parliaments Covenants

venant, and Treates, Kingdoms must be subject: If you will leade with us upon that point, we shall not doubt but to make a reasonable returne.

Scotish Papers, page 6.

Scotland: *If the Scotch Army should deliver up his Majesties Person without his owne consent &c. this act of the Army were not agreeable to the Oath of Allegiance, (obleiging them to defend his Majesties Person from all harmes and prejudices) nor to the solemne League and Covenant, which was not intended to weaken but to strengthen our Allegiance &c.*

————— *Whom therefore our Armies cannot deliver, to be disposed of by any others at pleasure:*

Answer.

England: By this it seemes, that the Scotch Army, are absolutely devoted to the *will* of his Person; for except he will, you say, that your Armies cannot (you might as well have said will not) deliver him up to be disposed of by any others; which saying excludes the whole world, except his *Will*: So that in effect by this you have as well excluded the pleasure of your own Parliament, as the pleasure of ours or any others.

Sure our deare Brethren of Scotland are not *themselves*, to speake thus they cannot tell what; one while to urge the consent of their Parliament, and then by and by to deny themselves of it againe.

Well, but you say it is against the Oath of Allegiance, and the Covenant, for the Armies to deliver him up against his *WILL*. And why so (deare Brethren we beseech you) is the Oath of Allegiance and the Covenant confined to the dictates of his Personall *Will*? that what is contrary to his *Will*, is contrary thereto? For here you make his *Will* the very *Axeltree* upon which your argument turnes; and therefore by this your reasoning, both Kingdomes are by the Oath of Allegiance and by the Covenant, obleiged and irrevocably bound (it being made to Almighty God) to be subjected to his *Will*; yea, and as much as in you lyes, you have thereby concluded and conform'd a title upon him, even from Almighty God, to Rule by his Arbitrary pleasure; and made both Kingdomes *Vassales* to his *Will*. *Is this the affection and duty which becomes Brethren that*

5.) you tell us, *you were put in mind of;* That after you had espoused *your Brethrens quarrell* (page *ibid.*) by that espousall to contract your brethren to his *Arbitrary pleasure?* But as you in another case, so say wee in this. *wee cannot but expect better things from our Brethren.* (page *ibid.*) Sure it is not our deare Brethren of Scotland that thus write: how shall such a thing (as becommeth Brethren) enter into the hearts of our Brethren of Scotland? except since his Majesties arrivall, our deare Brethren are run quite besides themselves. as aforesaid,

Some indeed have strange thoughts of our Brethren, and conclude them *more knaves then fooles*, and that little better ever was to be expected from them, seeing now they are not ashamed only to tell us (page 7.) that the Scottish Army came not into this Kingdome in the nature of *Auxiliaries* (or helpers) and indeed they have proved as good as their words. for what *Auxiliaries* or helpers have they been unto us, except to carry away our gudes, and to drive away our cattle &c.) but also in plaine termes (to make all the blood that hath been shed but as water spilt upon the ground) to capitulate with us, about the Kings personal *Will*, whether his *Will* must rule the roast or no? By our consent he shall first turne the spit, before his *Will* shall rule the roast; our Lawes Lives and Liberties are more pretious, then to be; rostitue to the exhorbitant boundlesse *will* of any mortall *Steuars* under the Sun: And therefore both He and your revolted Armies may be content, for we will spend a little more of our blood before that come to passe; you may as well twerle up your Blew caps, and hulle them up at the Moone, as to expect *Englands* assent unto that: no, no. Deare Brethren, wee are neither such fools nor such cowards, or yet such Traitors to our selves or to our posterities. to our Lawes or to our Liberties, as after we by the blood of us and our children have gained a conquest over that Arbitrary faction so basely to retorne like Sewes to the mire, or Dogges to the vomit againe; no sure deare Brethren wee have not been *thromming of Caps* all this while; and therefore that is not to be expected: wee are content that our Brethren of Scotland should be our Brethren, but not our Lords and our Kings. to snatch the Scepter of *England* out of our hands, and to make us their slaves and Uassailles: what care we for *Charles Steuarts* assurance thereof under his Hand and Seale: we will mainetaine our just Rights and Freedomes in despite of Scot, King, or Keylar, though wee welter for it in our bloods; and be it knowne

knowne unto you, O yee men of Scotland, that the free-men of England scorne to be your slaves; and they have yet a reserve of gallant blood in their veines, which they will freely spend for their freed om. But to returne to the Game in hand.

Further. From the words of the forementioned clause of your papers, this you import, that you are by the Oath of Allegiance bound to *keep his person from all harme*, and therefore your Armies will not deliver up his person *to be disposed of, as the two Houses shall thinke fit*: As, if the two Houses by that their vote, had intended mischief to his person, or else why should you urge that in competition with their vote, if thereby you did not plainly conclude that their vote was an absolute intent of harme unto his person: But (good brethren) let us tell you, that though the two Houses of England have voted the disposall of the King of England as they shall think fit, it doth not therefore follow, that there is absolute harm to his person thereby intended in their vote, but you make a surmise, then take it for granted, and forthwith thereon build the structure of your defence: But we hope it doth not therefore follow, because our brethren surmise it, except the sence of our Votes, our Orders and Ordinances of Parliament must follow the surmise of our brethren, that whatever their surmise is, that must be their *Sense and Intent* and no other. And if as you say; you will not inforce any sence or construction upon their Votes, then why will not your armies deliver him upon their Votes for feare of harme to his person, as if they had plainly intended with *Salomons* sword, by that their voted disposall to have divided the King of England from the King of Scotland, and so give each kingdome their just portion in his person.

But why should our deare brethren reason thus sophistically and deceitfully with us, and conclude this inconsequently against us? Sure they have better Covenant Logick then his, for the antecedent of that Argument doth nothing at all prove the consequent thereof: Therefore if our deare brethren please (for the better discovery of their fallacy) we shall cast that their kind of Argument into a forme after its owne nature and kind, which is thus.

A Scotch Argument. The two Houses of Parliament have voted the disposall of the Kings person as they shall thinke fit.

Ergo. The Scotch Armies may not deliver up his person to the said two Houses, for feare of harme to his person.

Truly dear brethren, this *Gear* hangeth together like an old broken pot-*sheard*,

Pot-Sheard: And wee deem, that you would be much displeased with your deare brethren of *England*, should they returne the like reasoning to their brethren of *Scotland*. But least our deare brethren of *Scotland* should judge us their brethren of *England* ingratesfull, their brethren here send them a *congratulatory* pair of reasons formed after the same or the like kind desiring in their next papers, to be resolved, whether such reasoning with them, be faire dealing or no? to wit.

1. *Argument*. My gude Lord *Lesley*, came to *Montrevill* (Embassador for *France*) residing at *Southwell*, there to commune with the King

Ergo. My gude Lord *Lesley* fell down on his knees, resigned up his sword, and laid it at the feet of the King, and then received it againe of the King.

2. *Argument*. My Lord of *Northumberland*, and *Sebrant* the *French* Agent looked through an hedge, and the one saw the other.

Ergo. They two are both nigh of a kindred.

Now having sent you a paire of brave, Scotified arguments, we'll throw an English bone after them, for your armies to gnaw upon,

Sir *John* and the King are kipt on the Colt of an *Asse*,

But the King and the *Scotts* have agre'd on their Lots.

Ergo. When the King hath got all, he'll turne our brethren to grasse.

But now deare brethren, we cannot thinke that this will be judged faire reasoning in us; but if you condemne it, then why doe you use it? untill you revoke, and renounce your error therein: this our like reasoning must not be condemned by you.

But by this we may plainly see, that you have some mischievous designe against the two Houses of Parliament, that you would insinuate such an opinion into the people of England, against their two Houses of Parliament. And that upon such *high tearmes of contestation*, to wit, that for that reason (to wit, *harme*) you will not deliver them their King upon their Vote, what may we judge by this, but that you intend destruction to them, thus to set the hearts of their people against them by your scandalous and seditious surmises and jealousies sowne amongst the people of England, for absolute truths: for if you give it not forth as a truth, why will you urge an argument from thence? Sure our Holy Brethren of Scotland, are not so voide of Conscience and grace, as to make a Lye a foundation of their practice.

Scotch Papers. Pag. 8.

We doe assert, that the King comming voluntarily to the Scottish Army, they cannot in duty deliver him against his will, to the two Houses of Parliament, without consent of the Kingdome of Scotland.

Ans. Then it seemes if he had come against his will, you had been bound in duty to have delivered him against the same, to the two houses of Parliament, without the consent of the Kingdome of Scotland, for if his voluntary comming be the reason of the one, then his involuntary comming must needs be the reason of the other, for as your own paper Champion saith, *contrarium contraria sunt consequentia*, therefore hereby you have brought the consent of your own Parliament, to be inferiour and subject to his will the which notwithstanding the said Champion told him, they should be forced to settle things without, in case he should not assent. pag. 19. The which reasonings, if they be not pro and con be you your selves Iudges: and let the world judge, whether it be fair dealing so to reason in a matter so neerely concerning the weale of the two Kingdomes, the lives and states of thousands and ten thousands.

Scotch Papers. Ibid.

The place of the Kings residence is at his own Election in either of the Kingdomes, as the exigency of affaires shall require, and he shall thinke fit, or else must be determined by the mutuall advice and consent of both Kingdomes.

Ans. What, more vast and loose still? Sometimes with your consent, and sometimes without your consent, sometimes with the joynt advice of both Kingdomes, and sometimes without it, sometimes with his personall will, and sometimes without his personall will, and now to make all indifferent! What is the meaning of our brethren in this? are they not in their wits, thus to jumble and jump forward and backward, and backward and forward againe, and then to lye all along betwixt both? For by this clause it seemes, that the disposall of his person is indifferent, either at his will, or at the joynt advice of the two Kingdomes. *Utrum horum magis accipe*, one of the twain, chuse you whether. so that if his person be eitherwise disposed, yet by this clause it is justified, the one as well as the other being asserted in that clause.

And

then againe to adde to the number of those jugling Husteron-Proteron-Trickes, by the position of their order, they make the will of the King predominant to the consent of the two Kingdomes, for if by locall position, we may judge of preheminence, according to our nationall custome, the greater to take the will of the lesse, then the will of the King is thereby preferred before the consent of the two Kingdomes, for it hath the precedency therein: How ever by that clause they are made of equality, for they are not urged by the way of disparity, but by the way of equality therein. Therefore by that clause there is not a pin to chuse betwixt them: So that which is first gone forth, whether his will, or the two Kingdomes consent, that must stand irrevocable, and not to be moved by the other, for could it, then were it as nothing, a meere shadow without substance, for then the absolute disposing were only in one, because if one may depose what the other disposeth, then that which disposeth is all in all; and the other hath no will, vote, choice or consent in the thing, but is wholly dependant, and must be subject to the power of the other, which may conclude, order, revoake, and reverse at its pleasure. Therefore from this reasoning of our deare brethren, it followes thus.

1. That this present disposall of his person (being as your selves say *voluntary*) is irrevocable by either or both Kingdomes, because *his will* for that disposall was first past forth; which for that matter (as is already proved) by this present ground of yours, is as unalterable as the Lawes of the *Medes* and *Persians*: So that it is in vaine for the two Houses of *England* to expect a delivery of the King of *England* from the *Scotish* Armies; for by this (to make sure worke of his person) they have put themselves out of a capacie of his delivery upon any termes whatsoever: And therefore we may bid our gude King, *good morrow my Leige for all the day, and for ever, Amen. Farewell* first, if he never come more, nothing is lost.

2. If by the sentence and judgement of our dear brethren of *Scotland*, the Kings personall disposall be at his owne Election and Will, and so inherent therein, then by the sentence and judgement of our deare brethren of *Scotland*, the dislocation of the Kings person by his personall will all this while from the two Houses of Parliament of *England*, is justified, and our deare Brethren of *Scotland* thereby made confederate with him, in that act, and so consequently guilty of all the rebellion made by his personall will against the two Houses of Parliament and the People of *England*.

3. If by the Argument of our deare brethren of Scotland, the King according to the exigencie of affaires may dispose of his person at his pleasure, then by the Argument of our deare brethren of Scotland according to the exigencie of affaires, the King may depart from our deare brethren of Scotland at his pleasure, when, or whether he pleaseth, although his pleasure should be never so pernicious or perilous to our deare brethren of Scotland: for his pleasure may only be knowne to himselfe, and not at all to our deare brethren of Scotland, no more then it was foreknown (as our deare brethren would make us believe) at his coming to them. Therefore if our deare brethren of Scotland will have him according to the exigencie of affaires to be disposed of at his pleasure, then according to the exigencie of affaires, our deare brethren of Scotland must run the hazard of his pleasure.

But for the better deciding of the matter about his will, it is to be questioned, 1. Whether since the Covenant and Treaties, either England or Scotland may assert, that the place of the Kings residence is at his owne Election; the which as the case since hath stood, may in no wise be honourably granted, for thereby in all reason it must be concluded, that the two Kingdomes tooke upon them, the sole disposall of his person, without the least relation or respect to his personall will: For should that not be concluded, then his arbitrary disposal of his person to many times in open and actuall hostility against the Parliament and people of England were justifiable.

2. It is to be considered, that though before this his hostility against the Parliament and people, he might dispose of his person from *White-Hall*, to *Hampton Court* or the like, without the joynt advice of the two Kingdomes, whether now the case be not altered or no?

3. In regard he hath most properly leaved and made warre against the Parliament and People of England, and in regard the Scotch engagement was but in assistance of their brethren of England, Whether his person thereupon is not most properly due to the two Houses of Parliament, and thereupon they might properly vote the disposall thereof, notwithstanding his Kingship of Scotland; by reason the Offence was properly against them, and a maine end of the war, was to reduce and recover his person unto the Custody and power of the two Houses.

But now whereas you urge his voluntary coming, as if it were only voluntary in him, and not like voluntary in you (which by Cove-

nant, compact and treatie, was not upon any termes or in any wise without our consent to have been by you.) It is a plaine case, that there was a voluntary concurrence betwixt you, even of the Kingdome of Scotland with the King of England, before he had laid downe Arms taken up in Rebellion against the Sovereaign power of his Throne, the two Houses of Parliament, and against the Free People of England, and that absolutely by you, without the joynt advice and consent of the said Houses and Kingdome; for you foreknew of his intent, and were foreacquainted with his coming, before his arrivall at your Armie, and this is not only to be proved from the secret and trayterous Treatie betwixt you and the King, from the latter end of *March* last, 1646. Managed by the intervention of *Montrevill* the *French Ambassador*, and designed in *France*, but also by what was open, manifest and undenyable. For to omit his foot-steps from *Oxford*, he came publickly into *Southwell*, foure miles distant from your Armie, and there was entertained by the said *Montrevill*, who was deputed and provided to receive him, and forthwith he sent unto your Armie, to informe you that he was come thither, then *Lesley* your Generall (*Metropolitan* over all the *Blew-Caps* of *Scotland*) repaired unto him and with him entertained a Treatie, and so he came voluntary to your armie, and there voluntarily ever since doth continue, as you yourselves doe confesse. Now let any reasonable man judge, whether here were not a mutual concurrence of voluntary consent, before his enterance into your Armie without all advice and consent of ours. And whether it is reasonable to imagine, that the King should cast his person voluntarily into the hands of those which were the first commoters and raiser of troubles and warres, entring his dominions of England with open Hostillity, for which he proclaimed them Traitors and Rebels, and now againe stand Traytors and Rebels by his Proclamations and Declarations, and which are still in Armes against him; and by *Solemne League and Covenant* contracted and aspoused to the two Houses of England, in their war-fare against him, without the foreknowledge consent, compact & assurance of your armie and Kingdom; truly for our parts, considering all his politick, subtile, and crafty plots and proceedings, in all his Military designs, we cannot imagine him so inconsiderate and mad, as to run his person without all assurance, on such a perillous hazard, or play such a card as that at a venture amongst you, without a full surety from you, and a compact betwixt

betwixt you under hand and seale, for his entertainment and successe with you, and if we may judge the tree by its fruits, we are sure it can be no other.

Besides, had you not been concurrent in will with him (contrary to our privitie and consent) he could not have entred, much lesse continued in your armie, without your consent, and whether you would or no. So that indeed and in truth as the matter now stands, betwixt you and us, his comming must needs be reputed and concluded your single act, and neither may we, nor can we esteem it otherwise, for his will or his Action is nothing to the state of the question or difference betwixt *England* and *Scotland* in this matter, for you your selves say, (pag. 9.) that, it is cleere from the third Article of the Treaty, that the *Scottish* armie is to receive the directions of both Kingdomes, or of their Committees in *ALL THINGS*, which may concerne the pursuance of the ends of the Covenant and Treaty, whether in relation to *PEACE* or *WARRE*. In the eight Article, no cessation, pacification, or agreement for peace *WHATSOEVER* is to be made by either Kingdom or the armie of either Kingdom, without the advice and consent of both Kingdomes. Now deare brethren, by these very words of the Treaty thus cited by your selves, you are by your selves exempted and denied of all power of intermeddling about any thing whatsoever concerning peace or warre, without the advice and consent of the two Kingdomes: If so, then why have you attempted this act of reception and detaining of his person without the mutuall concurrent advice and consent of the two Kingdomes, which so mightily concerneth our weale or our woe, our peace or our warre, for this your seizure of his person in this manner, is of as high and great concernment about the matter of warre, as can be imagined, for it openly and apparently threatneth division and warre betwixt the two Kingdomes; and thereby you your selves are the deviders and threatners, contrary to your old and present asseverations and abjurations: in your booke of former Intentions, thus you assert of your selves, we could iudge our selves the unworthiest of all men, and could looke for no lesse then vengeance from the Righteous God, if we should move hand or foot against that Nation, so comfortably represented to us, in that honourable meeting land, pag. 3. And pag. 10. Let them be accursed, that shall not seeke the preservation of their neighbour Nation: and in your former Informations, Declarations and Remonstrances, you have cursed all Nationall Inva-

See intentions of the Armie of Scotland, pag. 3.

sion and Treacherie: And now in these Papers you cry, God forbid,
 that the wayes of separating interests of the Kingdomes, should now be
 studied, pag. 5. And in the Lord *Londons* speech in the Painted
 Chamber. pag. 21. That no man hath conscience and honour, who
 will not remember our Solemne League and Covenant, as the strongest
 bond under Heaven, between God and man, and between Nation and
 Nation, &c. Yet these asseverations and execrations, are now made as
 nothing, and these your strongest bonds between God and man as you
 call them, are but as *Sampsons* cords to be burst asunder at your plea-
 sure, but God will deliver up your strength, if by your timely repen-
 tance you doe not prevent the vengeance of Heaven which hangs over
 your head. For why will you thus fairly professe with your tongues
 unto us, and deale so treacherously with us in your hearts, why should
 you receive and entertaine the King and yet protest against all the dis-
 posall of his person, and why should you tell us, that his Majesties com-
 ming to your armie, is a more probable and hopefull way to preserve
 the union of the two Kingdomes, whereas you selves see, that it is
 the most unluckiest meanes of division, and of fomenting a war betwixt
 the two Nations, as Hell could reach: and though the Lord *Londons*
 breath out your menaces about that disposall, and openly threaten us
 with forces from *Scotland* and *Ireland*, and with the assistance of for-
 eign Princes, yet all this you would make us beleieve, (were we but as
 the Horse and the Mule, which have no understanding) is for the str-
 eter and firmer union betwixt the two Kingdomes; but deare brethren
 we are not so undiscerning and foolish, so to be possessed and deluded.
 But further in the said pag. you say, because you came into England, for
 prosecuting of the ends of the Covenant, whereof one is to defend His
 Majesties person, you thinke it a strange thing, that your being in
 England should be urged as an argument, why you should deliver up
 the person of the King, to be disposed of, as the two Houses should
 thinke fit.

Ans. For the matter of your being in England, we shall for the pre-
 sent referre you to Mr. *Chalenors* speech: and only consider the reason
 of this clause, which we conceive to be on this wise, that because you
 are by the Covenant bound to defend His Majesties person, that there-
 fore you will not deliver up his person, to be disposed of, as the two
 Houses shall think fit: which is as much as to say, because you are to
 defend his person, that therefore the two Houses of Parliament are his
 enemies,

enemies: which manner of reasoning is as if we should say, because there were dayly secret whisperings and wishings at our Queens Court in France, that the King might but get safe to the *Scotts*, and because the day of his setting forth out of *Oxford* towards them was fore-known at her Court; That therefore *Sebrant* the French agent ran up into the Earle of *Northumberlands* Bed-Chamber, in the morning before he was up, and surreptitiously surpris'd in his Chamber window; a packet of Letters, (inclosed in a blanke paper superscribed (forsooth for their better conveyance, to the Earle) and brake the same open, and said they were his, and so the one peep'd at the other, and saw one another and away hied *Sebrant* as fast as he could, and carryed with him the whole plat-forme of your—you know what!

Now Brethren, how like you your owne kind of reasoning? Is not this a prettie kind of Argument thinke you, neatly formed after that most hallowed pattern received from the Angel at *Le font bleu*?

And therefore seeing our Brethren have so far discharged their trust, as (after all their Protettations, Covenants and Oaths to Almighty God, their Solemne League, and Treaty with their Neighbour Nation of *England*) thus in the field to meet us in this free and brotherly conference with such Solemn Covenant-Logick, we may have doubtless great boldness & confidence, with our dear brethren of *Scotland*, to pay them in their owne coyne, for current and good Silver, especially considering whose Image and superscription it beareth: So that upon the point (we wish it be not of the sword) we are agreed with our good friends *London*, to give unto *Cesar* the things that are *Cesars*, &c pag. 26.

But now since our brethren take upon them in their armies to defend his person, we desire of our deare brethren to tell us, against whom is this their defence? If against us and our armies, then we reply, that if your Covenant now bind you hereto, then why did you not by this Covenant joyn your armies with them before, in all his Hostility against the two Houses, for by our Hostility his person was endangered and subject to the calamity and execution of warre, himselfe in person and in armes appearing against us?

Scotch Papers. Pag. 9.

And whereas it is affirmed by the Treaty, the Scotch Armie ought to doe nothing without a joyntr resolution of both Kingdomes

or their Committees; there is no such clause in the Treaty, but they are to be subject to such resolutions as are and shall be agreed upon, and concluded mutually between the Kingdomes and their Committees.

Ans. By this we may see how willing our brethren are to get a *creep hole*, and how they shuffle and cut to struggle themselves out of the *Briers*: But *good brother Jockie* be content to stick here a while, for if to their Resolutions (as you say) you must be subject, then you must not be subject to that which is contrary to their resolutions: But your armies retaining of his person is contrary to the joynt advice and consent of both Kingdomes, for as yet both parties are not agreed. Therefore this is a manifest breach of the Treaty; so that (if you would have done as becommeth brethren) you should have stayed first to have heard the joynt advice or consent of both Kingdomes, before you had given him entertainment. For indeed, had there not been mischief designed in the thing and intended against this Kingdom, the King (knowing the mutuall obligation, and solemne Vnion betwixt the two Kingdomes, and the mutuall relation he had to them both, and each mutuall to him) would (if he had intended to lay down armes against this Kingdom) rather (in this emergency of War) have disposed of his person (honoured by both Kingdomes with the title of the *King of both Kingdomes*) to the Committee of both Kingdomes, wherein the joynt military interest of both Kingdomes is represented, conferrd and united, and both thereby incorporated into one deputative body, and as it were both made flesh of each others flesh, and bone of each others bone, that so in that, one act and at one time both Kingdomes equally and respectively would have received their King of each Kingdom, though presented in one person, even England and Scotland have received and kept the King of England, and the King of Scotland in that their entertainment of his person for the better disposall thereof by the Parliaments and Estates of both Kingdoms (being conquered by the mutuall force & conjunction of their armies) for then neither Parliament, Kingdom nor Armie had acted singly or divided, but it would be absolutely an act of both Kingdomes: This we say, he rather would have done, then in this factious divided nature to have thrown himselfe upon one Kingdom unknown to the other, and without the others advice and consent, had it not
been

been on set purpose to have cast a bone of division betwixt them; that both He and your selves by joynt occasioned faire opportunity might to passe: your designs to subjugate the neckes of the Freemen of England to your Scotch Monarchicall *Yoke of Bondage* (in gentering it selfe) And you your selves, had your intentions towards us been upright should rather have referred him to the said Committee of both Kingdomes, then thus to have attempted the receivall of him by your own military power, which was a desperate thing; however in case unawares he were received, yet you might ere this, knowing the mutuall and joynt interest of the two Kingdomes so well as you doe, and seeing it raiseth such jealousies, and is likely to occasion such a desperate and bloody division betwixt us, you might ere this have delivered, or at least proposed the resignation of His person, if not to the two Houses, yet to the custody of the said Committee; to whom indeed naturally and properly (as the case now itandes betwixt the two Kingdomes, he belongeth) (no joynt power of the two Kingdomes but that being extant) to be by them retained till the joynt consent, and determination of both Kingdomes.

You tell us that at the hearing of the march of Sir Thomas Fairfax his Army marching Northward, you removed yours into York-shire, for preventing mistakes or new troubles between the Kingdomes (page 9.) but were you so cautious thereof as you pretend, you would not have thus highly erred in the maine, and then facous with trifles: brethren, we have been a little too much acquainted and cheated with such guiled pretences as to rest content with *a slip in the mouth with a Fox-tayle*: It is not your candor freedom and plainnesse as becomes brethren which you tell us of (page 1.) in words what will satisfie us, if in deeds you deny us; Wee know you tell us he came voluntarily and continues voluntarily, and you doe not hinder him from coming to do the duty of a King amongst you: which words indeed beare a specious shew; but Brethren we are not so undecerning and ignorant as to conclude all is gold that glisters; but these your serpentine delusions, puts us in mind of the trick you put upon us about Mr. *Ashburnhams* escape: for in a paper from the Commissioners dated 25. of May 1645. the Lords of the Committee of New-Castle tell us, that directly, nor indirectly they had no hand in Mr. *Ashburnhams* escape; which by interpretation is as much as to say, that

that directly you had no hand in it, but indirect'y you had; for after our English Ontography two negatives make an affirmative, and *Nor* and *No* are two negatives coupled to one verb, and therefore must needs make it affirmative: but we will returne from this quicke to the matter in hand.

Now though you say, there was not any such resolution between the Kingdomes or their Committees. as *that the Scottish Armie should not receive the King if he came amongst them*. Our answer is, that it doth not therefore follow, that therein you may doe singly as you list; for you were obliged in all things, whether in relation unto peace, or to warre, not to make any cessation, pacification or agreement for peace whatsoever, without the advice and consent of both Kingdomes: And you your selves say, your Armies are to be subje^t to such resolutions, as ARE and SHALL BE agreed and concluded upon mutually between the two Kingdomes and their Committees. So that although neither present or future resolutions concerning unknowne matters to come be expressed (as indeed are impossible) yet therefore you have not the liberty to doe what you list. or to anticipate their resolutions with yours, for then Agreement compact, and Treaty, were to no purpose at all; but you were strictly bound upon penalty or breach of Articles, first, to have knowne the joynt advice and consent of the two Kingdomes, or their Committees in all things whatsoever, whether for peace or for warre; especially in a thing of so great and so high concernment, as to Treat with, Receive, and entertaine the Kings Person, though notwithstanding he should come voluntarily to you, for the matter is all one in the nature thereof, whether he come to you, or you goe to him: treating with, relieving and entertaining, without a joynt advice and consent (let it by what other meanes soever it be) is the maine thing which those Articles respect: for indeed that is, as absolute treating, cessation, and pacification with the King on your behalfe as can possible be: and therefore whereas you say, that you were not to impede, or restraints the person of the King from coming and doing the duty of a King amongst you, and thereupon have answerably received him; thereby you hold forth, and confesse a compact and conclusion of peace with him: for if you receive him to doe the duties of a King amongst you, and that without the Joynt advice and consent of the two Kingdomes or their Committees; what is this other then to pacificate with him without their joynt advice & consent? but more of this by and by.

besides

Besides if you will make an exception, because it is un-expressed in the *Treaty* [that you should not receive the Kings Person if he should come voluntarily to you] then may you as well except against all the resolves and results of the two Kingdoms and of their Committees, that therein are not expressed; and so confine all to the very letter of the *Treaty*, and utterly take away all liberty and power from the two Kingdoms and their Committees, of further advising, consenting, or resolving.

Scotch papers page 10.

Scotland: *The Scotch Army neither hath nor will take upon them to dispose of the King. he came unto them without capitulation or Treaty: his residence with them is voluntary and free, and they doe nothing which may hinder him to come to the two Houses of Parliament.*

Answer.

England: Whither now *Jockie*? Hoyt—Hoe—Haufe—Ree—Gee—Hoe—*Jockie*: What? neither backwards nor forwards, one side nor the other! Riddle me, Riddle me, what's this? You'll neither have him, nor be without him; neither keep him, nor deliver him: a pretty *paradox*! for you will not take upon you to dispose of him, and yet you will keep him, nor will hinder his coming to the two Houses of Parliament, and yet will not deliver Him: for his will in this matter of keeping and delivery is not at all respected in the *Treaty* and compact betwixt the two Kingdoms, but only the *Act* or *Acts* of the two Kingdoms, Therefore, what is this else but to say, you will, and you will not? you will neither receive him, nor will refuse him; you will not deliver him, nor will you keep him.

Now whereas (as you say) you are so willing that he should come of his own accord to the two Houses, and you would not hinder him: Wee pray you tell us whether you would suffer him, provided his intent were unknown unto you? Or whether you would judge it furable to the interest of *Scotland*, that the two Houses or their Armie should receive him upon such termes? Doubtlesse you would hinder the one and condemne the other; for no reasonable man can judge otherwise by your present practice and papers, you have received him without the consent of the two Houses and (as you would make's believe) without any fore knowledge of his intent at his coming, therefore are not your selves condemned by your selves? even justifiers of that in your selves, which you would condemne in others?

But you say, he came to you without capitulation: If so deare Brethren, then why did *Montrevill* goe before hand to *Lesley's* Army to take order for his reception there? And how came the King to have the faith and honour of the *Scots* engaged to him in the businesse of the Militia? How came the information of *Thomas Hammer*, June 12. 1646. (at the Committee for the Army, and after reported to the House of Commons) since by experience to have been confirmed in the most particulars thereof? wee could be much more inquisitive with our Brethren about this matter, but it may be they have learned of Lieutenant Col. *John Lilburne* and Mr. *Overton* the two prerogative *Archers* of *England*, and of some others, not to an-

swer to interrogatories concerning themselves, and therefore we shall forbear at this time further to question the faith and sincerity of our Brethren in this particular, only wee shall desire (because our Brethren in their papers are verbally so tender over the Hurled, oppressed, plundered North) wherefore besides the extraordinary losses and charges thereof, their ordinary expences where the forces are quartered are levied and paid after the rate of about 140000 pounds a month upon the whole County, which is twenty times so much as they ought to levy by the Ordinance of Parliament, as appears by a Letter June 26. 1646 from sundry of the Committee of *Torke* to the Committee of the Lords and Commons? Wee will assure you Brethren, that this dealing together with your severall rapes, murders, oppressions & abuses which hath bin & are dayly acted upon the well-afflicted in those parts, are farre from the first professed intentions of the Scots Army at their first coming into England 1640. Where page 11. you doe declare *that you would not take from your friends and Brethren of England from a thread even to a shoole-labber*, so that our Brethren are not the same, or else they are much changed, for from the beginning it was not so; however, this will we say of our Brethren, that as (they tell us page 6) that the Oath communicated to them for the disposall of the Kings Person by the two Houses *may suffer a benigne interpretation and be understood of the disposing of the Kings person favourably and Honourably*; yet as the words stand, they are *comprehensive and capacious of more then is fit to be expressed*; so answer we our Brethren, that though their unreasonable cessments, their dayly rapes and murders, robberies, oppressions & insufferable abuses upon their dear Brethren and sisters in the North may out of a Brotherly construction receive a *benigne interpretation*, and be understood but as *escapes of their Armie*, yet as the deeds so stand, they are *comprehensive and capacious of more then is fit to be done*.

And therefore deare Brethren, we cannot but justly wonder why you should be so unbrotherly and unkind to your Brethren of England, notwithstanding these great oppressions of yours upon them, now to capitulate with them for such vast sommes of money, and that upon such high termes as not to surrender their Garrisons and quit their Kingdome of your Armies, without, 200000. pound downe in your hands: Indeed Brethren let us tell you, wee can judge it as yet, little better then *invasion upon our Land*, to capitulate with us upon termes, before you will resigne us possession of our owne Garrisons, Forts, Castles Countrys &c. for upon *no termes whatsoever* have you any right or property unto any of the Forts, Castles, Garrisons, or Countries of the Kingdome of England, or in any wise to attempt possession thereof, or upon any termes to refuse the resignation thereof: for so long and so much are you *invadors of our Land*; for not an bare breadth of England nor a *minutes* possession thereof is yours by any legal, equall, or Natural Right, except you will say, that you our Brethren of Scotland are now become Kings of England; and indeed your actions and usurpations are equivolent thereto, for as well as to doe what you doe, you may possesse it for ever, and make invasion upon the rest of our Land, for protraction of time and increase of quantity cannot alter the equity of your title, it being as much to the whole Kingdome as to a part, and as well for ever as for a minute: But indeed and in truth it is neither in the one or yet in the other.

But you tell us, pag. 16. *Reasonable satisfaction must be first given to your Armies for their paymes and charges, before you will surrender*: Why brethren, must you therefore take possession of our Garrisons, Castles, &c. Because in equity wee are bound to give reasonable satisfaction to you, for your mercenary assistance. Our

Besides if you will make an exception, because it is un-expressed in the *Treaty* [that you should not receive the Kings Person if he should come voluntarily to you] then may you as well except against all the resolves and results of the two Kingdoms and of their Committees, that therein are not expressed; and so confine all to the very letter of the *Treaty*, and utterly take away all liberty and power from the two Kingdoms and their Committees, of further advising, consenting, or resolving.

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Answer.

England: Whither now *Jackie?* Hoyt—Hoe—Haufe—Rec—Gee—Hoe—*Jackie:* What? neither backwards nor forwards, one side nor the other! Riddle me, Riddle me, what's this? You'l neither have him, nor be without him; neither keep him, nor deliver him: a pretty *paradox*! for you will not take upon you to dispose of him, and yet you will keep him nor will hinder his coming to the two houses of Parliament, and yet will not deliver Him: for his will in this matter of keeping and delivery is not at all respected in the *Treaty* and compact betwixt the two Kingdoms, but only the *Act* or *Acts* of the two Kingdoms, Therefore, what is this else but to say, you will, and you will not? you will neither receive him, nor will refuse him; you will not deliver him, nor will you keep him.

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But you say, he came to you without capitulation: If so deare Brethren, then why did *Montrevill* goe before-hand to *Lesley's* Army to take order for his reception there? And how came the King to have the faith and honour of the *Scots* engaged to him in the businesse of the Militia? How came the information of *Thomas Hammer*, June 12. 1646. (at the Committee for the Army, and after reported to the House of Commons) since by experience to have been confirmed in the most particulars thereof? wee could be much more inquisitive with our Brethren about this matter, but it may be they have learned of Lieutenant Col. *John Lilburne* and Mr. *Overton* the two prerogative Archers of *England*, and of some others, not to an-

swer to interrogatories concerning themselves, and therefore we shall forbear at this time further to question the faith and sincerity of our Brethren in this particular, only wee shall desire (because our Brethren in their papers are verbally so tender over the Harassed, oppressed, plundered North) wherefore besides the extraordinary losses and charges thereof, their ordinary cessments where the forces are quartered are levied and paid after the rate of about 140000 pounds a month upon the whole Country, which is twenty times so much as they ought to leavy by the Ordinance of Parliament, as appears by a Letter *June 26. 1646.* from sundry of the Committee of *Torke* to the Committee of the Lords and Commons? Wee will assure you Brethren, that this dealing together with your severall rapes, murders, oppressions & abuses which hath bin & are dayly acted upon the well-afflicted in those parts, are farre from the first professed intentions of the *Scots* Army at their first comming into *England* 1640. Where page 11. you doe declare *that you would not take from your friends and Brethren of England from a thread even to a shoe-latchet*, so that our Brethren are not the same, or else they are much changed, for from the beginning it was not so; however, this will we say of our Brethern, that as (they tell us page 6) that the Oath communicated to them for the disposall of the Kings Person by the two Houses *may suffer a benigne interpretation, and be understood of the disposing of the Kings person favourably and Honourably; yet as the words stand, they are comprehensive and capatious of more then is fit to be expressed*; so answer we our Brethren, that though their unreasonable cessments, their dayly rapes and murders, robberies, oppressions & insufferable abuses upon their dear Brethren and sisters in the North may out of a Brotherly construction receive a *benigne interpretation, and be understood but as escapes of their Armie*, yet as the deeds so stand, they are *comprehensive and capatious of more then is fit to be done*.

And therefore deare Brethren, we cannot but justly wonder why you should be so unbrotherly and unkind to your Brethren of *England*, notwithstanding these great oppressions of yours upon them, now to capitulate with them for such vast sommes of money, and that upon such high termes as not to surrender their Garrisons and quit their Kingdome of your Armies, without, 200000. pound downe in your hands: Indeed Brethren let us tell you, wee can judge it as yet, little beter then *invasion upon our Land*, to capitulate with us *upon termes*, before you will resigne us possession of our owne Garrisons, Forts, Castles Country &c. for upon *no termes whatsoever* have you any right or property unto any of the Forts, Castles, Garrisons, or Countries of the Kingdome of *England*, or in any wise to attempt possession thereof, or upon *any termes to refuse the resignation thereof*: for so long and so much are you *invadors of our Land*; for not an hare breadth of *England* nor a *minut* possession thereof is yours by any legall, equall, or *Natural Right*, except you will say, that you our Brethren of *Scotland* are now become Kings of *England*; and indeed your actions and usurpations are equivolent thereto, for as well, as doe what you doe, you may possesse it for ever, and make invasion upon the rest of our Land, for protraction of time and increase of quantity cannot alter the equity of your title, it being as much to the whole Kingdome as to a part, and as well for ever as for a minute: But indeed and in truth it is neither in the one or yet in the other.

But you tell us, pag. 16. *Reasonable satisfaction must be first given to your Armies for their paines and charges, before you will surrender*: Why brethren, must you therefore take possession of our Garrisons, Castles, &c. Because in equity wee are bound to give reasonable satisfaction to you, for your mercenary assistance? Our

Garrisons, Castles, Forts, Countries, &c. were not put into the bargain, neither were they ever as yet set over to you, as a pledge for your payment, but notwithstanding Covenant, Treaty, or any other obligation whatsoever betwixt us, they are still the absolute interest and propriety of *England*, which by this your refusal, *to quit them*, is absolutely invaded and usurped: and your continuance of their possession upon those terms, is a continuance of hostile invasion and incursion upon *England*. And is as much as if you had entred by force, (for *Dolus an virtus quis in hoste requirit?*) it is all one to the nature of the thing, whether by force or by politick deceit, for both can be but possession, so that this your possession of our Countries, Castles, &c. under the colour of expectation of pay before you depart, is in the nature of the thing as absolute invasion and incursion, as if you had entred and over-run those places by force of Armes. For though we be bound to give you reasonable satisfaction, yet by that obligation, we are not bound to forfeit our Garrisons, Castles, Countries, &c. into your hands, *till it be given*: We will grant you that *reasonable satisfaction* is due; but what is that? whether a certain summe of money, or else our Garrisons, Castles, Countries, &c.? Your selves only make claime to the first, and therefore, and in respect of our owne interest, we will be so bold as not to disclaime and yeeld up our right in the second upon any pretence whatsoever. And in case *reasonable satisfaction* should be denyed, it could be but a falsitie and breach of faith, it would not therefore follow, that our Garrisons, Castles, Countries, &c. were become forfeit into the hand of our brethren the *Scotts*: Or because we should doe evil, it doth not therefore follow that they should doe evil for evil againe: for that were contrary to sound doctrine and the power of Godliness, a clause of the second Article in the Covenant from which our brethren tell us, *that no perswasion, terror, plot, suggestion nor combination, shall never directly nor indirectly withdraw them*: and in this Covenant there is no such clause expressed, intended or implied, that in case we should not give them satisfaction according to agreement, that then our Garrisons, Castles and Countries should be forfeit to our brethren of *Scotland*. Therefore if you would but deale friendly and as becommeth brethren (whereof you make such profession) with us, you would not take advantage at your brethrens necessities, to deale thus unkindly and unbrotherly with them (as if they had entertained so many *Turkes, Pagans* and *Infidells* into their bosomes in stead of brethren) as to sease upon their possessions, their Garrisons, Forts, Castles, Countries, &c. because this *reasonable satisfaction* cannot be provided as soon as you would have it, and as they desire and endeavour it. This is not a doing as you would be done to, this is no brotherly bearing of one anothers infirmities, or of one anothers burthens; but in stead of a *brotherly easing*, this is a *unfriendly oppressing*, besides the great scandal it casteth upon your brother Nation of *England*, as if the Parliament and People thereof, were so unfaithfull, unnaturall and false hearted, not to be trusted upon their faith and honour with their brethren of *Scotland* (with whom there is such obligations of unity and brother-hood) for the payment of the said sum of money, with their utmost expedition, doubtlesse we should never have been so ungratefull and unfaithfull with our brethren as to have dealt unjustly with them therein.

But we are afraid, that *this money demand*, was but a forraign invention to catch us upon the lurch, supposing by reason of the unreasonableesse of the matter, and the invasive manner thereof, the two Houses would not assent thereunto: and so by such menacing provoking rearmes, as the detaining of our Garrisons under the pretence of acquiring *reasonable satisfaction*, to pick a quarrel with us, or else you would not thus

ties, Countries, &c. for to deliver them unto us, you will not till you have money.

Yea, you tell us, that if the 5000. l. at *Nottingham* already accounted unto you with some other competent portion of money be not sent unto your Armie, you must be forced (forsooth) to enlarge your *Quarters* for the ease of the countrey, so that we plainly see by this liberty of *enlargement* which you usurp unto your selves, that you intend that your *enlargement of your Quarters* shall be as large as *our Bounds* in the case of procrastination, and all under the colour (for sooth) of *easing the Countrey*: Indeed brethren by that meanes you would *ease us of all*. But it in your hearts you be intended to *ease us*, then why doe you not rather tell us that you will *enlarge* homewards, to your owne native Countrey, for that were indeed an *easement*, this is but a further enlargement of our burthen, but *we know your meaning by your gaping*: Gude brethren doe not thus take advantage at your brethrens necessities: as *becommeth brethren* we tell you, it doth not become you to deale thus unkindly with your brethren: for it is an unnaturall unbrotherly part, to make a prey of their extremities. Yet here is not all they say of this matter, for they menacingly tell us, that in case Sir *Thomas Fairfaxs Armie* shall march Northwards, that their *Scottish Armie* shall enlarge their *Quarters Southward*, whereby (they say) it is easily to be seen, that those Kingdomes may unhappily be againe embroyled in new and greater troubles then yet they have been. Now how can we judge this otherwise, but as a shaking of the sword over our heads? a *dare*, a *threat* even as much as to say to our Armies, *come Northwards if you dare*. And if you doe, we will advance *Southward*, and then you may expect greater broyles and troubles then ever: but brethren, for the love of God, and the peace of the Kingdomes, forbear such threatening language for the future, that wee may live together as brethren in love, peace and tranquillity: For brethren we doe assure you, that *evill words corrupts good manners*, tread on a worme and it will turn againe, and surely English men have as much courage as wormes.

And now that you see that the two Houses have conditioned to your demands, you enter into dispute with us about the disposall of the person of the King, in such a manner as is not possible in honour and justice for this Kingdom to accept off, and you propose wayes and meanes of delays and protraction of time, as *sending of Commissioners againe unto the King in the name of both Kingdomes*, with power to beare his desires and the like, when as indeed the matter belongeth to them joynly to advise determine and conclude how they will dispose of him, and what they will compell him to doe, being conquered and fallen into their hands, therefore sending to, or treating with him now, is beside the matter in hand, so that those various devices of yours, give us great cause of suspicion and jealousies of you, that these, are but wayes to beare us in hand for the better facilitation of your design. But we should be glad to heare of your innocency of those things, and should be willing to judge better of our brethren, but they must excuse us, if we judge the tree by its fruit and may rather blame themselves for bringing forth such fruit, then us, for so judging, when it is brought forth. Therefore to remove all scruple and difference from betwixt us, we desire them to *let their good workes so shine before men* that we may justly say that God is in them indeed, and that they are our faithfull brethren and friends who are resolved to live and dye with us in the *better sense*, though we are now justly afraid of the *worst*.

F I N I S.

Errata, pag. 6. for you your selves, read your selves, p. 7. l. 8 for & consent, r. and consent. p. 8. l. 10. for proceeding r. preceeding, p. 9 for and treaties, r. treaties and p. 112. for my Lord of Northumberland, r. Genney with the missp, p. 12. in some copies, for some of your armie, r. some Regiments in your armie, Of these and many other litle

Garrisons, Castles, Forts, Countries, &c. were not put into the bargain, neither were they ever as yet set over to you, as a pledge for your payment, but notwithstanding Covenant, Treaty, or any other obligation whatsoever betwixt us, they are still the absolute interest and propriety of *England*, which by this your refusal, *to quit them*, is absolutely invaded and usurped: and your continuance of their possession upon those terms, is a continuance of hostile invasion and incursion upon *England*. And is as much as if you had entred by force, (for *Dolus an virtus quis in hoste requirit?*) it is all one to the nature of the thing, whether by force or by politick deceit, for both can be but possession, so that this your possession of our Countries, Castles, &c. under the colour of expectation of pay before you depart, is in the nature of the thing as absolute invasion and incursion, as if you had entred and over-run those places by force of Armes. For though we be bound to give you reasonable satisfaction, yet by that obligation, we are not bound to forfeit our Garrisons, Castles, Countries, &c. into your hands, *till it be given*: We will grant you that *reasonable satisfaction* is due; but what is that? whether a certain summe of money, or else our Garrisons, Castles, Countries, &c.? Your selves only make claime to the first, and therefore, and in respect of our owne interest, we will be so bold as not to disclaime and yeeld up our right in the second upon any pretence whatsoever. And in case *reasonable satisfaction* should be denied, it could be but a falstie and breach of faith, it would not therefore follow, that our Garrisons, Castles, Countries, &c. were become forfeit into the hand of our brethren the *Scotts*: Or because we should doe evil, it doth not therefore follow that they should doe evil for evil againe: for that were contrary to sound doctrine and the power of Godliness, a clause of the second Article in the Covenant from which our brethren tell us, *that no perswasion, terror, plot, suggestion nor combination, shall never directly nor indirectly withdraw them*: and in this Covenant there is no such clause exprest, intended or implied, that in case we should not give them satisfaction according to agreement, that then our Garrisons, Castles and Countries should be forfeit to our brethren of *Scotland*. Therefore if you would but deale friendly and *as becommeth brethren* (whereof you make such profession) with us, you would not take advantage at your brethrens necessities, to deale thus unkindly and unbrotherly with them (as if they had entertained so many *Turkes, Pagans* and *Infidells* into their bosomes in stead of brethren) as to seise upon their possessions, their Garrisons, Forts, Castles, Countries, &c. because this *reasonable satisfaction* cannot be provided as soon as you would have it, and as they desire and endeavour it. This is not a doing as you would be done to; this is no brotherly bearing of one anothers infirmities, or of one anothers burthens; but in stead of a *brotherly easing*, this is a *unfriendly oppressing*. besides the great scandal it casteth upon your brother Nation of *England*, as if the Parliament and People thereof, were so unfaithfull, unnaturall and false hearted, not to be trusted upon their faith and honour with their brethren of *Scotland* (with whom there is such obligations of unity and brother-hood) for the payment of the said sum of money, with their utmost expedition, doubtlesse we should never have been so ungratefull and unfaithfull with our brethren as to have dealt unjustly with them therein.

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FINIS.

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